

STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft Louisiana Pollutant Discharge Elimination System Permit No. LA0067270; AI 19327; PER20040001 to discharge to waters of the State of Louisiana as per LAC 33:IX.2311.

The permitting authority for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

- I. **THE APPLICANT IS:** Plaquemines Parish Government
 Phoenix Oxidation Pond
 P.O. Box 829
 Port Sulphur, LA 70083
- II. **PREPARED BY:** Angela Marse
- DATE PREPARED:** November 1, 2006
- III. **PERMIT ACTION:** LPDES permit LA0067270, AI 19327; PER20040001
- LPDES application received: December 23, 2004
- LPDES permit issued: June 1, 2000
 LPDES permit expired: May 31, 2005

IV. **FACILITY INFORMATION:**

- A. The application is for the discharge of treated sanitary wastewater from a publicly owned treatment works serving the communities of Davant, Phoenix, Harlem, and East Pointe a la Hache.
- B. The permit application does not indicate the receipt of industrial wastewater.
- C. The facility is located on Hwy. 39 in Davant, Plaquemines Parish.
- D. The treatment facility consists of a three cell oxidation pond. Disinfection is by chlorination.
- E. Outfall 001

Discharge Location:	Latitude	29° 36' 35" North
	Longitude	89° 52' 04" West

Description: treated sanitary wastewater

Design capacity: 0.182 MGD

Type of Flow Measurement which the facility is currently using:

Totalizing Meter

V. RECEIVING WATERS:

The discharge is by effluent pipe into the Mississippi River in segment 070301 of the Mississippi River Basin. This segment is not listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 070301 of the Mississippi River Basin are as indicated in the table below^{1/}:

Overall Degree of Support for Segment	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Full	Full	Full	Full	N/A	Full	N/A	N/A

^{1/}The designated uses and degree of support for Segment 070301 of the Mississippi River Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2004 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

Section 303 (d) of the Clean Water Act as amended by the Water Quality Act of 1987, and EPA's regulations at 40 CFR 130 require that each state identify those waters within its boundaries not meeting water quality standards and develop plans for those waterbodies to meet water quality standards. Segment 070301, the Mississippi River from Monte Sano Bayou to Head of Pass, Mississippi River Basin is not on the 2004 303(d) List of Impaired Waterbodies. No Total Daily Maximum Load (TMDL) Studies will be performed for this Segment.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated September 29, 2006 from Watson (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered species or candidate species or their critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit modification and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation
Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Mrs. Angela Marse
Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

Final Effluent Limits:

OUTFALL 001

The effluent is piped directly to the Mississippi River. Because of flow and dispersion, the Mississippi River system will not be significantly impacted by a secondary discharge of this size. Based on the Statewide Sanitary Effluent Limitations Policy sewer treatment plants discharging into the Mississippi River are assigned secondary treatment limits.

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Weekly Avg.	Basis
BOD ₅	46	30 mg/l	45 mg/l	Based on LAC.711.D.2. Treatment equivalent to secondary treatment for oxidation ponds and the previous permit.
TSS	137	90 mg/l	135 mg/l	Based on LAC.711.D.2. Treatment equivalent to secondary treatment for oxidation ponds and the previous permit.

Other Effluent Limitations:

1) Fecal Coliform

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.b.i, the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Average) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

2) pH

According to LAC 33:IX.3705.A.1., POTW's must treat to at least secondary levels. Therefore, in accordance with LAC 33:IX.5905.C., the pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time.

3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

X. PREVIOUS PERMITS:

LPDES Permit No. LA0067270:	Issued:	June 1, 2000
	Expired:	May 31, 2005

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Daily Avg.</u>	<u>Daily Max.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	Continuous	Recorder
BOD ₅	30 mg/l	45 mg/l	2/month	Grab
TSS	90 mg/l	135 mg/l	2/month	Grab
Fecal Coliform Colonies	200	400	2/month	Grab

The permit contains pretreatment language.
The permit contains pollution prevention language.

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:

A) Inspections

A review of the files indicates an inspection was performed for this facility as a follow-up to Hurricane Katrina.

Date – February 3, 2006
Inspector - LDEQ
Findings and/or Violations -

1. The pond was submerged by 12' plus of water initially, 3' plus standing for months. The facility plans to return to pre-Katrina conditions.
2. The plant was back on-line 12/16/2005, working and waiting for residents to return.

B) Compliance and/or Administrative Orders

A review of the files indicates no recent enforcement actions administered against this facility.

C) DMR Review

A review of the discharge monitoring reports for the period beginning December, 2003 through June, 2006 has revealed no violations. (DMRs indicate no discharge has occurred since Hurricane Katrina.)

XII. ADDITIONAL INFORMATION:

The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon water quality studies. These studies may indicate the need for advanced wastewater treatment. Studies of similar dischargers and receiving water bodies have resulted in monthly average effluent limitations of 5 mg/l CBOD₅, and 2 mg/l NH₃-N. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions

Final effluent loadings (i.e. lbs/day) have been established based upon the permit limit concentrations and the design capacity of 0.182 MGD.

Effluent loadings are calculated using the following example:

$$\text{BOD: } 8.34 \text{ lb/gal} \times 0.182 \text{ MGD} \times 30 \text{ mg/l} = 46 \text{ lb/day}$$

At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** as shown in the permit are the same as the previous permit.

Pretreatment Requirements

Based upon consultation with LDEQ pretreatment personnel and the previous permit, standard pretreatment language has been included in the proposed permit.

XIII TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

XIV

REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2004.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Plaquemines Parish Government, Phoenix Oxidation Pond, December 23, 2004.